

121 14 JUSTICE SYSTEM

121 15 Sec. 152. DEPARTMENT OF JUSTICE. There is appropriated
 121 16 from the general fund of the state to the department of
 121 17 justice for the fiscal year beginning July 1, 2002, and ending
 121 18 June 30, 2003, the following amounts, or so much thereof as is
 121 19 necessary, to be used for the purposes designated:

121 20 1. For the general office of attorney general for
 121 21 salaries, support, maintenance, miscellaneous purposes
 121 22 including prosecuting attorney training program, victim
 121 23 assistance grants, office of drug control policy (ODCP)
 121 24 prosecuting attorney program, legal services for persons in
 121 25 poverty grants as provided in section 13.34, odometer fraud
 121 26 enforcement, and for not more than the following full-time
 121 27 equivalent positions:
 121 28 \$ 7,340,260
 121 29 FTEs 210.48

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy Prosecuting Attorney Program, and Legal Services Grants.

DETAIL: This is an unspecified decrease of \$3,296,001 and an increase of 1.98 FTE positions compared to the estimated net FY 2002 combined appropriations for these programs. In previous years, the programs received separate General Fund appropriations. This Bill combines all General Fund appropriations into one appropriation within the Office of the Attorney General.

121 30 2. In addition to the funds appropriated in subsection 1,
 121 31 there is appropriated from the general fund of the state to
 121 32 the department of justice for the fiscal year beginning July
 121 33 1, 2002, and ending June 30, 2003, an amount not exceeding
 121 34 \$200,000 to be used for the enforcement of the Iowa
 121 35 competition law. The funds appropriated in this subsection
 122 1 are contingent upon receipt by the general fund of the state
 122 2 of an amount at least equal to the expenditure amount from
 122 3 either damages awarded to the state or a political subdivision
 122 4 of the state by a civil judgment under chapter 553, if the
 122 5 judgment authorizes the use of the award for enforcement
 122 6 purposes or costs or attorneys fees awarded the state in state
 122 7 or federal antitrust actions. However, if the amounts
 122 8 received as a result of these judgments are in excess of
 122 9 \$200,000, the excess amounts shall not be appropriated to the
 122 10 department of justice pursuant to this subsection.

Contingent General Fund appropriation for the enforcement of the Iowa Competition Law. The appropriation is contingent upon the receipt of damages due to anti-trust lawsuits and is limited to \$200,000. This is no change compared to estimated net FY 2002.

122 11 3. In addition to the funds appropriated in subsection 1,
122 12 there is appropriated from the general fund of the state to
122 13 the department of justice for the fiscal year beginning July
122 14 1, 2002, and ending June 30, 2003, an amount not exceeding
122 15 \$1,125,000 to be used for public education relating to
122 16 consumer fraud and for enforcement of section 714.16, and an
122 17 amount not exceeding \$75,000 for investigation, prosecution,
122 18 and consumer education relating to consumer and criminal fraud
122 19 against older Iowans. The funds appropriated in this
122 20 subsection are contingent upon receipt by the general fund of
122 21 the state of an amount at least equal to the expenditure
122 22 amount from damages awarded to the state or a political
122 23 subdivision of the state by a civil consumer fraud judgment or
122 24 settlement, if the judgment or settlement authorizes the use
122 25 of the award for public education on consumer fraud. However,
122 26 if the funds received as a result of these judgments and
122 27 settlements are in excess of \$1,200,000, the excess funds
122 28 shall not be appropriated to the department of justice
122 29 pursuant to this subsection.

Contingent General Fund appropriation to the Department of Justice for consumer education to combat consumer fraud. The appropriation is contingent upon the receipt of damages due to consumer fraud lawsuits and is limited to \$1,200,000. Of this amount, \$1,125,000 is to be used for public education and enforcement purposes, and \$75,000 is to be used for investigation, prosecution, and consumer education relating to fraud against older Iowans. This is an increase of \$725,000 compared to estimated net FY 2002.

122 30 4. a. The funds used for victim assistance grants shall
122 31 be used to provide grants to care providers providing services
122 32 to crime victims of domestic abuse or to crime victims of rape
122 33 and sexual assault.

Requires that the Victim Assistance funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

122 34 b. The balance of the victim compensation fund established
122 35 in section 915.94 may be used to provide salary and support of
123 1 not more than 22.0 FTEs and to provide maintenance for the
123 2 victim compensation functions of the department of justice.

Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice. This is no change compared to estimated net FY 2002.

123 3 5. The department of justice shall submit monthly
123 4 financial statements to the legislative fiscal bureau and the
123 5 department of management containing all appropriated accounts
123 6 in the same manner as provided in the monthly financial status
123 7 reports and personal services usage reports of the department

Requires the Department of Justice to submit monthly financial statements on all appropriated accounts to the Legislative Fiscal Bureau (LFB) and the Department of Management (DOM). Specifies information to be included in the financial statements.

123 8 of revenue and finance. The monthly financial statements
123 9 shall include comparisons of the moneys and percentage spent
123 10 of budgeted to actual revenues and expenditures on a
123 11 cumulative basis for full-time equivalent positions and
123 12 available moneys.

123 13 6. a. The department of justice, in submitting budget
123 14 estimates for the fiscal year commencing July 1, 2003,
123 15 pursuant to section 8.23, shall include a report of funding
123 16 from sources other than amounts appropriated directly from the
123 17 general fund of the state to the department of justice or to
123 18 the office of consumer advocate. These funding sources shall
123 19 include, but are not limited to, reimbursements from other
123 20 state agencies, commissions, boards, or similar entities, and
123 21 reimbursements from special funds or internal accounts within
123 22 the department of justice. The department of justice shall
123 23 report actual reimbursements for the fiscal year commencing
123 24 July 1, 2001, and actual and expected reimbursements for the
123 25 fiscal year commencing July 1, 2002.

Requires the Department of Justice, in submitting FY 2004 budget estimates, to submit a report to the DOM that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2002 and FY 2003.

123 26 b. The department of justice shall include the report
123 27 required under paragraph "a", as well as information regarding
123 28 any revisions occurring as a result of reimbursements actually
123 29 received or expected at a later date, in a report to the co-
123 30 chairpersons and ranking members of the joint appropriations
123 31 subcommittee on the justice system and the legislative fiscal
123 32 bureau. The department of justice shall submit the report on
123 33 or before January 15, 2003.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2003.

123 34 7. As a condition for accepting a grant for legal services
123 35 for persons in poverty funded pursuant to section 13.34, an
124 1 organization receiving a grant shall submit a report to the
124 2 general assembly by January 1, 2003, concerning the use of any
124 3 grants received during the previous fiscal year and efforts
124 4 made by the organization to find alternative sources of

Requires organizations receiving grants to report to the General Assembly by January 1, 2003, concerning grants received in FY 2002 and efforts to obtain alternative funding.

124 5 revenue to replace any reductions in federal funding for the
124 6 organization.

124 7 Sec. 153. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES
124 8 INVESTIGATION AND PROSECUTION -- FUNDING. There is
124 9 appropriated from the environmental crime fund of the
124 10 department of justice, consisting of court-ordered fines and
124 11 penalties awarded to the department arising out of the
124 12 prosecution of environmental crimes, to the department of
124 13 justice for the fiscal year beginning July 1, 2002, and ending
124 14 June 30, 2003, an amount not exceeding \$20,000 to be used by
124 15 the department, at the discretion of the attorney general, for
124 16 the investigation and prosecution of environmental crimes,
124 17 including the reimbursement of expenses incurred by county,
124 18 municipal, and other local governmental agencies cooperating
124 19 with the department in the investigation and prosecution of
124 20 environmental crimes.
124 21 The funds appropriated in this section are contingent upon
124 22 receipt by the environmental crime fund of the department of
124 23 justice of an amount at least equal to the appropriations made
124 24 in this section and received from contributions, court-ordered
124 25 restitution as part of judgments in criminal cases, and
124 26 consent decrees entered into as part of civil or regulatory
124 27 enforcement actions. However, if the funds received during
124 28 the fiscal year are in excess of \$20,000, the excess funds
124 29 shall be deposited in the general fund of the state.

Environmental Crime Fund appropriation of up to \$20,000 to the Department of Justice contingent upon receipt of contributions, court-ordered restitution, and consent decrees as a part of civil or regulatory enforcement actions. The funds are to be used for the investigation and prosecution of environmental crimes.

DETAIL: Maintains the current level of contingent funding.

124 30 Notwithstanding section 8.33, moneys appropriated in this
124 31 section that remain unexpended or unobligated at the close of
124 32 the fiscal year shall not revert but shall remain available
124 33 for expenditure for the purpose designated until the close of
124 34 the succeeding fiscal year.

CODE: Allows any ending balance of the contingent appropriation to carry forward to the next fiscal year.

124 35 Sec. 154. OFFICE OF CONSUMER ADVOCATE. There is
125 1 appropriated from the general fund of the state to the office

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

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Explanation

125 2 of consumer advocate of the department of justice for the
125 3 fiscal year beginning July 1, 2002, and ending June 30, 2003,
125 4 the following amount, or so much thereof as is necessary, to
125 5 be used for the purposes designated:
125 6 For salaries, support, maintenance, miscellaneous purposes,
125 7 and for not more than the following full-time equivalent
125 8 positions:
125 9 \$ 2,443,903
125 10 FTEs 33.00

DETAIL: This is a decrease of \$543,679 and an increase of 1.00 FTE position compared to estimated net FY 2002. The change includes:

1. An unspecified decrease of \$195,979.
2. A decrease of \$400,000 to eliminate FY 2002 one-time costs.
3. An increase of \$52,300 and 1.00 FTE position to transfer funds from the Department of Commerce Central Administrative Division.

125 11 Sec. 155. DEPARTMENT OF CORRECTIONS -- FACILITIES. There
125 12 is appropriated from the general fund of the state to the
125 13 department of corrections for the fiscal year beginning July
125 14 1, 2002, and ending June 30, 2003, the following amounts, or
125 15 so much thereof as is necessary, to be used for the purposes
125 16 designated:

125 17 1. For the operation of adult correctional institutions,
125 18 reimbursement of counties for certain confinement costs, and
125 19 federal prison reimbursement, to be allocated as follows:

125 20 a. For the operation of the Fort Madison correctional
125 21 facility, including salaries, support, maintenance, employment
125 22 of correctional officers, miscellaneous purposes, and for not
125 23 more than the following full-time equivalent positions:
125 24 \$ 32,168,605
125 25 FTEs 543.69

General Fund appropriation to the DOC for the Fort Madison Correctional Facility.

DETAIL: This is an increase of \$4,120,855 and 44.96 FTE positions compared to the estimated net FY 2002. The change includes:

1. A decrease of \$334,228 and 8.50 FTE positions to reflect staff savings associated with installing a security fence.
2. A decrease of \$38,143 and 1.00 FTE position for the Workforce Attrition Program.
3. An unspecified decrease of \$182,657.
4. An increase of \$1,914,000 to replace the FY 2001 supplemental appropriation.
5. An increase of \$2,761,883 and 53.19 FTE positions to open 120 beds of the 200-bed Special Needs Unit. This permits 40 inmates to occupy the building in August 2002 and 80 inmates to

		occupy the building in May 2003.
	6.	An increase of 1.27 FTE positions for budget adjustments.
125 26	It is the intent of the general assembly to operate a	
125 27	special needs unit at the Fort Madison correctional facility	Specifies that it is the intent of the General Assembly to fund the
125 28	at a capacity of 200 beds when funding constraints are	Special Needs Unit at 200 beds when funding constraints are
125 29	eliminated.	eliminated.
125 30	b. For the operation of the Anamosa correctional facility,	General Fund appropriation to the DOC for the Anamosa Correctional
125 31	including salaries, support, maintenance, employment of	Facility.
125 32	correctional officers and a part-time chaplain to provide	
125 33	religious counseling to inmates of a minority race,	DETAIL: This is an increase of \$141,549 and a decrease of 3.87 FTE
125 34	miscellaneous purposes, and for not more than the following	positions compared to estimated net FY 2002. The change includes:
125 35	full-time equivalent positions:	
126 1	..... \$ 23,786,629	1. A decrease of \$157,284 and 4.00 FTE positions to reflect staff
126 2	..... FTEs 379.75	savings associated with installing a security fence.
		2. An unspecified decrease of \$155,019.
		3. An increase of \$453,852 to transfer funds from the Fort Dodge
		Correctional Facility to reallocate budgets based on the average
		inmate population.
		4. An increase of 0.13 FTE position for budget adjustments.
126 3	Moneys are provided within this appropriation for one full-	
126 4	time substance abuse counselor for the Luster Heights	Specifies that funds be provided for one substance abuse counselor
126 5	facility, for the purpose of certification of a substance	to be employed at the Luster Heights Facility.
126 6	abuse program at that facility.	
126 7	c. For the operation of the Oakdale correctional facility,	General Fund appropriation to the DOC for the Oakdale Correctional
126 8	including salaries, support, maintenance, employment of	Facility.
126 9	correctional officers, miscellaneous purposes, and for not	
126 10	more than the following full-time equivalent positions:	DETAIL: This is a decrease of \$190,484 and 1.71 FTE position
126 11	..... \$ 21,497,363	compared to estimated net FY 2002. The change includes:
126 12	..... FTEs 328.50	1. A decrease of \$47,659 and 1.00 FTE position for the Workforce
		Attrition Program.

		2. An unspecified decrease of \$142,825.
		3. A decrease of 0.71 FTE position for budget adjustments.
126 13	d. For the operation of the Newton correctional facility,	General Fund appropriation to the Newton Correctional Facility.
126 14	including salaries, support, maintenance, employment of	
126 15	correctional officers, miscellaneous purposes, and for not	DETAIL: This is a decrease of \$239,301 and 6.32 FTE positions
126 16	more than the following full-time equivalent positions:	compared to estimated net FY 2002. The change includes:
126 17	..... \$ 22,538,275	
126 18	..... FTEs 371.25	1. A decrease of \$89,560 and 2.00 FTE positions for the Workforce
		Attrition Program.
		2. An unspecified decrease of \$149,741.
		3. A decrease of 4.32 FTE positions for budget adjustments.
126 19	e. For the operation of the Mt. Pleasant correctional	General Fund appropriation to the Mount Pleasant Correctional
126 20	facility, including salaries, support, maintenance, employment	Facility.
126 21	of correctional officers and a full-time chaplain to provide	
126 22	religious counseling at the Oakdale and Mt. Pleasant	DETAIL: This is a decrease of \$247,244 and 2.39 FTE positions
126 23	correctional facilities, miscellaneous purposes, and for not	compared to the estimated net FY 2002. The change includes:
126 24	more than the following full-time equivalent positions:	
126 25	..... \$ 21,161,133	1. A decrease of \$157,284 and 4.00 FTE positions to reflect staff
126 26	..... FTEs 330.56	savings associated with installing a security fence.
		2. An increase of \$50,297 and 0.57 FTE position transferred from
		the Corrections Training Center for shared services if the
		Corrections Training Center relocates.
		3. An unspecified decrease of \$140,257.
		4. An increase of 2.00 FTE positions, one funded from a federal
		grant and one converted from contract funds.
		5. A decrease of 0.96 FTE position for budget adjustments.
126 27	f. For the operation of the Rockwell City correctional	General Fund appropriation to the DOC for the Rockwell City Facility.
126 28	facility, including salaries, support, maintenance, employment	
126 29	of correctional officers, miscellaneous purposes, and for not	DETAIL: This is an increase of \$163,824 and a decrease of 2.01 FTE
126 30	more than the following full-time equivalent positions:	positions compared to estimated net FY 2002. The change includes:
126 31	..... \$ 7,268,049	
126 32	..... FTEs 110.00	1. A decrease of \$65,982 and 1.00 FTE position for the Workforce
		Attrition Program.
		2. An unspecified decrease of \$46,452.

		<ol style="list-style-type: none"> 3. An increase of \$276,258 and 1.00 FTE position to transfer funds from the Fort Dodge Correctional Facility to reallocate budgets based on the average inmate population. 4. A decrease of 2.01 FTE positions for budget adjustments.
126 33	g. For the operation of the Clarinda correctional	General Fund appropriation to the DOC for the Clarinda Correctional Facility.
126 34	facility, including salaries, support, maintenance, employment	
126 35	of correctional officers, miscellaneous purposes, and for not	
127 1	more than the following full-time equivalent positions:	DETAIL: This is a decrease of \$121,757 and an increase of 0.66 FTE position for budget adjustments compared to estimated net FY 2002.
127 2	..... \$ 18,326,306	
127 3	..... FTEs 291.76	
127 4	Moneys received by the department of corrections as	Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.
127 5	reimbursement for services provided to the Clarinda youth	
127 6	corporation are appropriated to the department and shall be	
127 7	used for the purpose of operating the Clarinda correctional	DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,100,000.
127 8	facility.	
127 9	h. For the operation of the Mitchellville correctional	General Fund appropriation to the DOC for the Mitchellville Correctional Facility.
127 10	facility, including salaries, support, maintenance, employment	
127 11	of correctional officers, miscellaneous purposes, and for not	
127 12	more than the following full-time equivalent positions:	DETAIL: This is a decrease of \$143,308 and 3.81 FTE positions compared to estimated net FY 2002. The change includes:
127 13	..... \$ 12,024,416	<ol style="list-style-type: none"> 1. A decrease of \$63,420 and 1.00 FTE position for the Workforce Attrition Program. 2. An unspecified decrease of \$79,888. 3. A decrease of 1.00 FTE position to be funded from the Inmate Telephone Rebate Fund as approved by the Board of Corrections. 4. A decrease of 1.81 FTE positions due to budget adjustments.
127 14	..... FTEs 215.50	
127 15	i. For the operation of the Fort Dodge correctional	General Fund appropriation to the DOC for the Fort Dodge

127 16 facility, including salaries, support, maintenance, employment	Correctional Facility.
127 17 of correctional officers, miscellaneous purposes, and for not	
127 18 more than the following full-time equivalent positions:	DETAIL: This is a decrease of \$892,085 and 0.70 FTE position
127 19 \$ 24,379,674	compared to estimated net FY 2002. The change includes:
127 20 FTEs 395.00	
	1. A decrease of \$730,110 to transfer funds to Anamosa State
	Penitentiary and the North Central Correctional Facility at Rockwell
	City to reallocate budgets based on the average inmate population.
	2. An unspecified decrease of \$161,975.
	3. A decrease of 0.70 FTE positions due to budget adjustments.
127 21 j. For reimbursement of counties for temporary confinement	
127 22 of work release and parole violators, as provided in sections	General Fund appropriation to the DOC for County Confinement
127 23 901.7, 904.908, and 906.17 and for offenders confined pursuant	Account to pay for holding alleged parole and work release violators
127 24 to section 904.513:	until their revocation hearing.
127 25 \$ 674,954	DETAIL: This is an unspecified decrease of \$25,484 compared to
	estimated net FY 2002.
127 26 k. For federal prison reimbursement, reimbursements for	
127 27 out-of-state placements, and miscellaneous contracts:	General Fund appropriation to the DOC to reimburse the federal
127 28 \$ 241,293	Bureau of Prisons for confining Iowa inmates and to pay
	miscellaneous contracts.
	DETAIL: This is an unspecified decrease of \$63,577 compared to
	estimated net FY 2002.
127 29 The department of corrections shall use funds appropriated	
127 30 in this subsection to continue to contract for the services of	Requires the DOC to contract with a Muslim imam to provide religious
127 31 a Muslim imam.	services and religious counseling.
127 32 2. a. If the inmate tort claim fund for inmate claims of	
127 33 less than \$100 is exhausted during the fiscal year, sufficient	CODE: Specifies that the Inmate Tort Claim Fund that pays for
127 34 funds shall be transferred from the institutional budgets to	inmate tort claims of less than \$100.00 against the State not revert to
127 35 pay approved tort claims for the balance of the fiscal year.	the General Fund.
128 1 The warden or superintendent of each institution or	
128 2 correctional facility shall designate an employee to receive,	Requires shortfalls to be paid from the institutions' budgets. Denied
	claims are to be forwarded to the State Appeals Board for

128 3 investigate, and recommend whether to pay any properly filed
 128 4 inmate tort claim for less than the above amount. The
 128 5 designee's recommendation shall be approved or denied by the
 128 6 warden or superintendent and forwarded to the department of
 128 7 corrections for final approval and payment. The amounts
 128 8 appropriated to this fund pursuant to 1987 Iowa Acts, chapter
 128 9 234, section 304, subsection 2, are not subject to reversion
 128 10 under section 8.33.
 128 11 b. Tort claims denied at the institution shall be
 128 12 forwarded to the state appeal board for their consideration as
 128 13 if originally filed with that body. This procedure shall be
 128 14 used in lieu of chapter 669 for inmate tort claims of less
 128 15 than \$100.

consideration.

128 16 3. It is the intent of the general assembly that the
 128 17 department of corrections shall timely fill correctional
 128 18 positions authorized for correctional facilities pursuant to
 128 19 this section.

Specifies that it is the intent of the General Assembly that the DOC fills positions in a timely manner.

128 20 Sec. 156. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.
 128 21 There is appropriated from the general fund of the state to
 128 22 the department of corrections for the fiscal year beginning
 128 23 July 1, 2002, and ending June 30, 2003, the following amounts,
 128 24 or so much thereof as is necessary, to be used for the
 128 25 purposes designated:

128 26 1. For general administration, including salaries,
 128 27 support, maintenance, employment of an education director and
 128 28 clerk to administer a centralized education program for the
 128 29 correctional system, miscellaneous purposes, and for not more
 128 30 than the following full-time equivalent positions:
 128 31 \$ 2,666,224
 128 32 FTEs 42.18

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is an increase of \$358,236 and 5.70 FTE positions compared to estimated net FY 2002. The change includes:

1. An increase of \$411,160 and 7.00 FTE positions to transfer the Corrections Training Center appropriation into Central Office.
2. A decrease of \$37,942 and 1.00 FTE position for the Workforce Attrition Program.
3. An unspecified decrease of \$14,982.

4. A decrease of 0.30 FTE position for budget adjustments.

128 33 Notwithstanding section 904.108, for the fiscal year
128 34 beginning July 1, 2002, and ending June 30, 2003, the
128 35 correctional training center need not be maintained at the
129 1 Mount Pleasant correctional facility.

CODE: Permits the DOC to relocate the Corrections Training Center, which is currently located at Mount Pleasant.

129 2 a. The department shall monitor the use of the
129 3 classification model by the judicial district departments of
129 4 correctional services and has the authority to override a
129 5 district department's decision regarding classification of
129 6 community-based clients. The department shall notify a
129 7 district department of the reasons for the override.

Requires the DOC to monitor the Community-Based Corrections (CBC) District Departments' use of the risk/needs assessment model, and permits the DOC to override a District Department's classification, upon notice to the District Department.

129 8 b. It is the intent of the general assembly that as a
129 9 condition of receiving the appropriation provided in this
129 10 subsection, the department of corrections shall not, except as
129 11 otherwise provided in paragraph "c", enter into a new
129 12 contract, unless the contract is a renewal of an existing
129 13 contract, for the expenditure of moneys in excess of \$100,000
129 14 during the fiscal year beginning July 1, 2002, for the
129 15 privatization of services performed by the department using
129 16 state employees as of July 1, 2002, or for the privatization
129 17 of new services by the department, without prior consultation
129 18 with any applicable state employee organization affected by
129 19 the proposed new contract and prior notification of the
129 20 cochairpersons and ranking members of the joint appropriations
129 21 subcommittee on the justice system.

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a contract in excess of \$100,000 for privatized services during FY 2003 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee. Existing contracts may be renewed without notification.

129 22 c. It is the intent of the general assembly that each
129 23 lease negotiated by the department of corrections with a
129 24 private corporation for the purpose of providing private
129 25 industry employment of inmates in a correctional institution
129 26 shall prohibit the private corporation from utilizing inmate

Specifies that it is the intent of the General Assembly that the DOC shall prohibit using inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

129 27 labor for partisan political purposes for any person seeking
129 28 election to public office in this state and that a violation
129 29 of this requirement shall result in a termination of the lease
129 30 agreement.

129 31 d. It is the intent of the general assembly that as a
129 32 condition of receiving the appropriation provided in this
129 33 subsection, the department of corrections shall not enter into
129 34 a lease or contractual agreement pursuant to section 904.809
129 35 with a private corporation for the use of building space for
130 1 the purpose of providing inmate employment without providing
130 2 that the terms of the lease or contract establish safeguards
130 3 to restrict, to the greatest extent feasible, access by
130 4 inmates working for the private corporation to personal
130 5 identifying information of citizens.

Specifies that it is the intent of the General Assembly that, as a condition of receiving the appropriated funds, the DOC, when contracting with a private business for inmate employment, shall restrict to the greatest extent feasible inmates' access to citizens' personal identifying information.

130 6 e. It is the intent of the general assembly that as a
130 7 condition of receiving the appropriation provided in this
130 8 subsection, the department of corrections shall not enter into
130 9 any new agreement with a private for-profit agency or
130 10 corporation for the purpose of transferring inmates under the
130 11 custody of the department to a jail or correctional facility
130 12 or institution in this state which is established, maintained,
130 13 or operated by a private for-profit agency or corporation
130 14 without prior approval by the general assembly.

Specifies that it is the intent of the General Assembly that, as a condition of receiving the appropriation in this subsection, the DOC shall not enter into a contract to place offenders in its custody in a private, for-profit facility without prior approval of the General Assembly.

130 15 2. For educational programs for inmates at state penal
130 16 institutions:
130 17 \$ 100,000

General Fund appropriation to the DOC for educational programs for inmates.

DETAIL: This is an unspecified decrease of \$2,813,361 compared to estimated net FY 2002. The remaining funds are required under federal and State law.

130 18 It is the intent of the general assembly that moneys
130 19 appropriated in this subsection shall be used solely for the

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also specifies that the DOC shall

130 20 purpose indicated and that the moneys shall not be transferred
 130 21 for any other purpose. In addition, it is the intent of the
 130 22 general assembly that the department shall consult with the
 130 23 community colleges in the areas in which the institutions are
 130 24 located to utilize moneys appropriated in this subsection to
 130 25 fund the high school completion, high school equivalency
 130 26 diploma, adult literacy, and adult basic education programs in
 130 27 a manner so as to maintain these programs at the institutions.
 130 28 To maximize the funding for educational programs, the
 130 29 department shall establish guidelines and procedures to
 130 30 prioritize the availability of educational and vocational
 130 31 training for inmates based upon the goal of facilitating an
 130 32 inmate's successful release from the correctional institution.
 130 33 The director of the department of corrections may transfer
 130 34 moneys from Iowa prison industries for use in educational
 130 35 programs for inmates.
 131 1 Notwithstanding section 8.33, moneys appropriated in this
 131 2 subsection that remain unobligated or unexpended at the close
 131 3 of the fiscal year shall not revert but shall remain available
 131 4 for expenditure only for the purpose designated in this
 131 5 subsection until the close of the succeeding fiscal year.

consult with community colleges located within the area of the prisons on how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

CODE: Requires that unexpended and unobligated educational program funds not revert to the General Fund but remain available in FY 2004 only for the specified purposes.

131 6 3. For the development of the Iowa corrections offender
 131 7 network (ICON) data system:
 131 8 \$ 427,700

General Fund appropriation to the DOC for the Iowa Corrections Offender Network.

DETAIL: This is an unspecified decrease of \$102,842 compared to estimated net FY 2002.

131 9 4. The department of corrections shall submit a report to
 131 10 the cochairpersons and ranking members of the joint
 131 11 appropriations subcommittee on the justice system and the
 131 12 legislative fiscal bureau, on or before January 15, 2003,
 131 13 concerning the development and implementation of the Iowa
 131 14 corrections offender network (ICON) data system. The report
 131 15 shall include a description of the system and functions, a
 131 16 plan for implementation of the system, including a timeline,

Requires the DOC to report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2003, concerning the development and implementation of the Iowa Corrections Offender Network. Specifies the contents of the report.

131 17 resource and staffing requirements for the system, and a
131 18 current status and progress report concerning the
131 19 implementation of the system. In addition, the report shall
131 20 specifically address the ability of the system to receive and
131 21 transmit data between prisons, community-based corrections
131 22 district departments, the judicial branch, board of parole,
131 23 the criminal and juvenile justice planning division of the
131 24 department of human rights, the department of public safety,
131 25 and other applicable governmental agencies. The report should
131 26 include a detailed discussion of the cooperation with other
131 27 state agencies and the judicial branch in the development and
131 28 implementation of the system.

131 29 5. It is the intent of the general assembly that the
131 30 department of corrections shall continue to operate the
131 31 correctional farms under the control of the department at the
131 32 same or greater level of participation and involvement as
131 33 existed as of January 1, 2002, shall not enter into any rental
131 34 agreement or contract concerning any farmland under the
131 35 control of the department that is not subject to a rental
132 1 agreement or contract as of January 1, 2002, without prior
132 2 legislative approval, and shall further attempt to provide job
132 3 opportunities at the farms for inmates. The department shall
132 4 attempt to provide job opportunities at the farms for inmates
132 5 by encouraging labor-intensive farming or gardening where
132 6 appropriate, using inmates to grow produce and meat for
132 7 institutional consumption, researching the possibility of
132 8 instituting food canning and cook-and-chill operations, and
132 9 exploring opportunities for organic farming and gardening,
132 10 livestock ventures, horticulture, and specialized crops.

Specifies that it is the intent of the General Assembly that the DOC continues farm operations at the same or greater level as existed on January 1, 2001. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the prison farms.

132 11 6. The department of corrections shall submit a report to
132 12 the general assembly by January 1, 2003, concerning moneys
132 13 recouped from inmate earnings for the reimbursement of
132 14 operational expenses of the applicable facility during the
132 15 fiscal year beginning July 1, 2001, for each correctional

Requires the DOC to submit a report to the General Assembly by January 1, 2003, concerning the FY 2002 revenues recouped from inmate earnings for operational expenses for each prison and CBC District Department. Each prison and CBC District Department is required to submit monthly reports to the LFB concerning funds recovered from offenders for inmate deductions, private sector

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132 16 institution and judicial district department of correctional
132 17 services. In addition, each correctional institution and
132 18 judicial district department of correctional services shall
132 19 continue to submit a report to the legislative fiscal bureau
132 20 on a monthly basis concerning moneys recouped from inmate
132 21 earnings pursuant to sections 904.702, 904.809, and 905.14.

employment of inmates, and enrollment fees.

132 22 Sec. 157. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
132 23 SERVICES.

132 24 1. There is appropriated from the general fund of the
132 25 state to the department of corrections for the fiscal year
132 26 beginning July 1, 2002, and ending June 30, 2003, the
132 27 following amounts, or so much thereof as is necessary, to be
132 28 allocated as follows:

132 29 a. For the first judicial district department of
132 30 correctional services, including the treatment and supervision
132 31 of probation and parole violators who have been released from
132 32 the department of corrections violator program, the following
132 33 amount, or so much thereof as is necessary:
132 34 \$ 8,953,795

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is a decrease of \$59,488 and 0.65 FTE position for budget adjustments compared to estimated net FY 2002.

132 35 b. For the second judicial district department of
133 1 correctional services, including the treatment and supervision
133 2 of probation and parole violators who have been released from
133 3 the department of corrections violator program, the following
133 4 amount, or so much thereof as is necessary:
133 5 \$ 6,992,061

General Fund appropriation to the DOC for the Second CBC District Department.

DETAIL: This is a decrease of \$46,454 and 1.50 FTE positions for budget adjustments compared to estimated net FY 2002.

133 6 c. For the third judicial district department of
133 7 correctional services, including the treatment and supervision
133 8 of probation and parole violators who have been released from
133 9 the department of corrections violator program, the following

General Fund appropriation to the Third CBC District Department.

DETAIL: This is a decrease of \$27,065 and 0.86 FTE position for budget adjustments compared to estimated net FY 2002.

133 10 amount, or so much thereof as is necessary:
 133 11 \$ 4,073,638

133 12 d. For the fourth judicial district department of
 133 13 correctional services, including the treatment and supervision
 133 14 of probation and parole violators who have been released from
 133 15 the department of corrections violator program, the following
 133 16 amount, or so much thereof as is necessary:
 133 17 \$ 3,854,236

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is a decrease of \$2,020 and an increase of 2.67 FTE positions compared to estimated net FY 2002. The change includes:

1. A decrease of \$98,836 to eliminate FY 2002 one-time costs for the new, 25-bed residential facility for women offenders.
2. An increase of \$121,615 and 2.50 FTE positions to annualize operating costs of the new facility.
3. A decrease of \$24,799.
4. An increase of 0.17 FTE position for budget adjustments.

133 18 e. For the fifth judicial district department of
 133 19 correctional services, including the treatment and supervision
 133 20 of probation and parole violators who have been released from
 133 21 the department of corrections violator program, the following
 133 22 amount, or so much thereof as is necessary:
 133 23 \$ 11,702,787

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is a decrease of \$102,751 and 0.80 FTE position compared to estimated net FY 2002. The change includes:

1. A decrease of \$25,000 to eliminate funding for a youth intervention and prevention program.
2. A decrease of \$77,751.
3. A decrease of 0.80 FTE position for budget adjustments.

133 24 f. For the sixth judicial district department of
 133 25 correctional services, including the treatment and supervision
 133 26 of probation and parole violators who have been released from
 133 27 the department of corrections violator program, the following
 133 28 amount, or so much thereof as is necessary:
 133 29 \$ 8,965,564

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is a decrease of \$159,566 and no change in FTE positions compared to estimated net FY 2002.

133 30 g. For the seventh judicial district department of
 133 31 correctional services, including the treatment and supervision

General Fund appropriation to the DOC for the Seventh CBC District Department.

133 32 of probation and parole violators who have been released from
 133 33 the department of corrections violator program, the following
 133 34 amount, or so much thereof as is necessary:
 133 35 \$ 5,125,593

DETAIL: This is a decrease of \$34,054 and no change in FTE positions compared to estimated net FY 2002.

134 1 h. For the eighth judicial district department of
 134 2 correctional services, including the treatment and supervision
 134 3 of probation and parole violators who have been released from
 134 4 the department of corrections violator program, the following
 134 5 amount, or so much thereof as is necessary:
 134 6 \$ 5,097,521

General Fund appropriation to the DOC for the Eighth CBC District Department.

DETAIL: This is a decrease of \$33,867 and 6.93 FTE positions for budget adjustments compared to estimated net FY 2002.

134 7 2. Each judicial district department of correctional
 134 8 services shall continue programs and plans established within
 134 9 that district to provide for intensive supervision, sex
 134 10 offender treatment, diversion of low-risk offenders to the
 134 11 least restrictive sanction available, job development, and
 134 12 expanded use of intermediate criminal sanctions.

Requires each CBC District Department to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

134 13 3. The department of corrections shall continue to
 134 14 contract with a judicial district department of correctional
 134 15 services to provide for the rental of electronic monitoring
 134 16 equipment which shall be available statewide.

Requires the DOC to continue to contract with a CBC District Department to provide a statewide electronic monitoring program.

DETAIL: The DOC contracts with the Fifth CBC District Department for services to all other CBC District Departments.

134 17 4. Each judicial district department of correctional
 134 18 services and the department of corrections shall continue the
 134 19 treatment alternatives to street crime programs established in
 134 20 1989 Iowa Acts, chapter 225, section 9.

Requires all CBC District Departments and the DOC to continue the Treatment Alternatives to Street Crime (TASC) Program.

134 21 5. The governor's office of drug control policy shall
 134 22 consider federal grants made to the department of corrections
 134 23 for the benefit of each of the eight judicial district
 134 24 departments of correctional services as local government

Requires the Office of Drug Control Policy to consider grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants or as defined by federal regulations.

134 25 grants, as defined pursuant to federal regulations.

134 26 6. The department of corrections and the eight judicial
134 27 district departments of correctional services shall submit a
134 28 combined comprehensive report on the violator program and the
134 29 violator aftercare program to the cochairpersons and ranking
134 30 members of the joint appropriations subcommittee on the
134 31 justice system and to the legislative fiscal bureau by
134 32 December 1, 2002.

Requires the DOC and CBC District Departments to submit one combined comprehensive report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by December 1, 2002, on the violator program and the violator aftercare program.

134 33 7. In addition to the requirements of section 8.39, the
134 34 department of corrections shall not make an intradepartmental
134 35 transfer of moneys appropriated to the department, unless
135 1 notice of the intradepartmental transfer is given prior to its
135 2 effective date to the legislative fiscal bureau. The notice
135 3 shall include information on the department's rationale for
135 4 making the transfer and details concerning the work load and
135 5 performance measures upon which the transfers are based.

Requires the DOC to notify the LFB prior to transferring funds between budget units. The DOC is required to explain why the transfer is needed, including workload and performance measures.

135 6 8. The department of corrections and the eight judicial
135 7 district departments of correctional services shall submit a
135 8 combined comprehensive report on the use of intermediate
135 9 criminal sanctions program pursuant to chapter 901B to the
135 10 cochairpersons and ranking members of the joint appropriations
135 11 subcommittee on the justice system, and to the legislative
135 12 fiscal bureau by January 15, 2003. The report shall include a
135 13 description of the program at each intermediate sanction level
135 14 or sublevel of the corrections continuum within each district
135 15 plan, and the number of offenders placed at each intermediate
135 16 sanction level or sublevel in each district for the previous
135 17 fiscal year, and the current fiscal year as of March 1. The
135 18 report shall also include the personal characteristics of each
135 19 offender, including the offender's race, gender, and age, and
135 20 the offender's placement on the corrections continuum. The
135 21 number of FTEs working in positions related to the corrections
135 22 continuum shall also be included in the report.

Requires the DOC and the CBC District Departments to report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2002, concerning the implementation and effectiveness of the Intermediate Criminal Sanctions Program. Specifies the contents of the report.

135 23 9. The department of corrections in cooperation with the
135 24 second, third, fourth, and fifth judicial district departments
135 25 of correctional services, shall implement procedures to
135 26 provide continuing evaluation of the drug courts. The
135 27 evaluation shall include a description of the two models
135 28 currently being used by the judicial districts, a description
135 29 of the program, criteria for admission, program capacity,
135 30 number of offenders in the program by offense class, program
135 31 expenditures, and quantitative outcome measures including
135 32 successful completion and recidivism rates.

Requires the DOC and Second, Third, Fourth, and Fifth CBC District Departments to implement procedures for the evaluation of drug courts.

135 33 Sec. 158. CORRECTIONAL INSTITUTIONS -- VOCATIONAL
135 34 TRAINING.

135 35 1. The state prison industries board and the department of
136 1 corrections shall continue the implementation of a plan to
136 2 enhance vocational training opportunities within the
136 3 correctional institutions listed in section 904.102, as
136 4 provided in 1993 Iowa Acts, chapter 171, section 12. The plan
136 5 shall provide for increased vocational training opportunities
136 6 within the correctional institutions, including the
136 7 possibility of approving community college credit for inmates
136 8 working in prison industries. The department of corrections
136 9 shall provide a report concerning the implementation of the
136 10 plan to the cochairpersons and ranking members of the joint
136 11 appropriations subcommittee on the justice system and the
136 12 legislative fiscal bureau, on or before January 15, 2003.

Requires the State Prison Industries Board and the DOC to continue to implement the plan for enhancement of vocational training opportunities within the Institutions. The plan is to provide for increased vocational training opportunities and the possibility for inmates to earn community college credit for working in prison industries. The DOC is to report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2003.

136 13 2. It is the intent of the general assembly that each
136 14 correctional facility make all reasonable efforts to maintain
136 15 vocational education programs for inmates and to identify
136 16 available funding sources to continue these programs. The
136 17 department of corrections shall submit a report to the general
136 18 assembly by January 1, 2003, concerning the efforts made by
136 19 each correctional facility in maintaining vocational education
136 20 programs for inmates.

Specifies that it is the intent of the General Assembly that the DOC makes all reasonable efforts to maintain vocational education programs and seek additional funding to continue the programs. Requires the DOC to submit a report to the General Assembly by January 1, 2003, concerning efforts to maintain the vocational education programs for inmates.

136 21 3. The department of corrections shall submit a report on
136 22 inmate labor to the general assembly, the cochairpersons, and
136 23 the ranking members of the joint appropriations subcommittee
136 24 on the justice system, and to the legislative fiscal bureau by
136 25 January 15, 2003. The report shall specifically address the
136 26 progress the department has made in implementing the
136 27 requirements of section 904.701, inmate labor on capital
136 28 improvement projects, community work crews, and private-sector
136 29 employment.

Requires the DOC to submit a report to the General Assembly, Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2003, regarding inmate labor. Specifies the content of the report.

136 30 4. Each month the department shall provide a status report
136 31 regarding private-sector employment to the legislative fiscal
136 32 bureau beginning on July 1, 2002. The report shall include
136 33 the number of offenders employed in the private sector, the
136 34 combined number of hours worked by the offenders, and the
136 35 total amount of allowances, and the distribution of allowances
137 1 pursuant to section 904.702, including any moneys deposited in
137 2 the general fund of the state.

Requires the DOC to provide a monthly status report to the LFB regarding private sector employment of inmates.

137 3 Sec. 159. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

Encourages State agencies to buy products from Iowa Prison Industries whenever possible.

137 4 1. As used in this section, unless the context otherwise
137 5 requires, "state agency" means the government of the state of
137 6 Iowa, including but not limited to all executive branch
137 7 departments, agencies, boards, bureaus, and commissions, the
137 8 judicial branch, the general assembly and all legislative
137 9 agencies, institutions within the purview of the state board
137 10 of regents, and any corporation whose primary function is to
137 11 act as an instrumentality of the state.

137 12 2. State agencies are hereby encouraged to purchase
137 13 products from Iowa state industries, as defined in section
137 14 904.802, when purchases are required and the products are
137 15 available from Iowa state industries.

137 16 3. State agencies shall submit to the legislative fiscal
137 17 bureau by January 15, 2003, a report of the dollar value of

Requires State agencies to report FY 2002 purchases from Iowa Prison Industries to the LFB by January 15, 2003.

137 18 products and services purchased from Iowa state industries by
 137 19 the state agency during the fiscal year beginning July 1,
 137 20 2001, and ending June 30, 2002.

137 21 Sec. 160. STATE PUBLIC DEFENDER. There is appropriated
 137 22 from the general fund of the state to the office of the state
 137 23 public defender of the department of inspections and appeals
 137 24 for the fiscal year beginning July 1, 2002, and ending June
 137 25 30, 2003, the following amount, or so much thereof as is
 137 26 necessary, for the purposes designated:
 137 27 \$ 33,908,325

General Fund appropriation to the Department of Inspections and Appeals for the State Public Defender's Office.

DETAIL: This is an increase of \$274,719.

137 28 The funds appropriated and full-time equivalent positions
 137 29 authorized in this section are allocated as follows:
 137 30 1. For salaries, support, maintenance, and miscellaneous
 137 31 purposes, and for not more than the following full-time
 137 32 equivalent positions:
 137 33 \$ 15,770,739
 137 34 FTEs 202.00

Allocates the General Fund appropriation for the State Public Defender's Office.

DETAIL: This is an increase of \$1,099,226 and no change in FTE positions compared to estimated net FY 2002. The change includes:

1. An increase of \$1,204,004 to permit the Office to fill authorized positions.
2. An unspecified decrease of \$104,778.

137 35 2. For the fees of court-appointed attorneys for indigent
 138 1 adults and juveniles, in accordance with section 232.141 and
 138 2 chapter 815:
 138 3 \$ 18,137,586

Allocates the General Fund appropriation for the Indigent Defense Program.

DETAIL: This is a decrease of \$824,507 compared to estimated net FY 2002. The change includes:

1. A decrease of \$704,004 to reflect savings associated with adding funds to the Office of the State Public Defender.
2. An unspecified decrease of \$120,503.

138 4 Sec. 161. IOWA LAW ENFORCEMENT ACADEMY. There is
 138 5 appropriated from the general fund of the state to the Iowa
 138 6 law enforcement academy for the fiscal year beginning July 1,
 138 7 2002, and ending June 30, 2003, the following amount, or so

138 8 much thereof as is necessary, to be used for the purposes
138 9 designated:

138 10 1. For salaries, support, maintenance, miscellaneous
138 11 purposes, including jailer training and technical assistance,
138 12 and for not more than the following full-time equivalent
138 13 positions:
138 14 \$ 1,000,000
138 15 FTEs 29.05

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: This is a decrease of \$358,062 and no change in FTE positions compared to the estimated net FY 2002.

138 16 It is the intent of the general assembly that the Iowa law
138 17 enforcement academy may provide training of state and local
138 18 law enforcement personnel concerning the recognition of and
138 19 response to persons with Alzheimer's disease.

Specifies that it is the intent of the General Assembly that the Iowa Law Enforcement Academy may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

138 20 2. The Iowa law enforcement academy may select at least
138 21 five automobiles of the department of public safety, division
138 22 of the Iowa state patrol, prior to turning over the
138 23 automobiles to the state fleet administrator to be disposed of
138 24 by public auction and the Iowa law enforcement academy may
138 25 exchange any automobile owned by the academy for each
138 26 automobile selected if the selected automobile is used in
138 27 training law enforcement officers at the academy. However,
138 28 any automobile exchanged by the academy shall be substituted
138 29 for the selected vehicle of the department of public safety
138 30 and sold by public auction with the receipts being deposited
138 31 in the depreciation fund to the credit of the department of
138 32 public safety, division of the Iowa state patrol.

Allow the Iowa Law Enforcement Academy to annually select at least five vehicles being turned in to the State fleet administrator by the Department of Public Safety and exchange them for any of the Academy's training vehicles. The vehicles received by the Department of Public Safety from the Academy are to be sold at public auction. Requires the receipts be deposited into the depreciation fund used to purchase new vehicles for the Department of Public Safety.

138 33 Sec. 162. BOARD OF PAROLE. There is appropriated from the
138 34 general fund of the state to the board of parole for the
138 35 fiscal year beginning July 1, 2002, and ending June 30, 2003,
139 1 the following amount, or so much thereof as is necessary, to
139 2 be used for the purposes designated:
139 3 For salaries, support, maintenance, miscellaneous purposes,

General Fund appropriation for the Parole Board.

DETAIL: This is an unspecified decrease of \$8,874 and no change in FTE positions compared to estimated net FY 2002.

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Explanation

139 4 and for not more than the following full-time equivalent
 139 5 positions:
 139 6 \$ 986,636
 139 7 FTEs 16.00

139 8 Sec. 163. DEPARTMENT OF PUBLIC DEFENSE. There is
 139 9 appropriated from the general fund of the state to the
 139 10 department of public defense for the fiscal year beginning
 139 11 July 1, 2002, and ending June 30, 2003, the following amounts,
 139 12 or so much thereof as is necessary, to be used for the
 139 13 purposes designated:

139 14 1. MILITARY DIVISION

139 15 For salaries, support, maintenance, miscellaneous purposes,
 139 16 and for not more than the following full-time equivalent
 139 17 positions:
 139 18 \$ 5,115,428
 139 19 FTEs 285.89

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is a decrease of \$376,988 and an increase of 14.47 FTE positions compared to the estimated net FY 2002.

139 20 If there is a surplus in the general fund of the state for
 139 21 the fiscal year ending June 30, 2003, within 60 days after the
 139 22 close of the fiscal year, the military division may incur up
 139 23 to an additional \$500,000 in expenditures from the surplus
 139 24 prior to transfer of the surplus pursuant to section 8.57.

Allows the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days to receive federal reimbursements for eligible expenses. This authorization allows the Division to borrow State General Fund dollars to cover federal reimbursable expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that allows the State to receive an advance of federal funds in order to provide funding to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

139 25 2. EMERGENCY MANAGEMENT DIVISION

139 26 For salaries, support, maintenance, miscellaneous purposes,
 139 27 and for not more than the following full-time equivalent

General Fund appropriation to the Emergency Management Division of the Department of Public Defense.

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Explanation

139 28 positions:	DETAIL: Maintains current level of funding and staffing.
139 29 \$ 1,077,354	
139 30 FTEs 25.25	
139 31 Sec. 164. IOWA COMMUNICATIONS NETWORK OPERATIONS.	General Fund appropriation to the Iowa Telecommunications and
139 32 1. There is appropriated from the general fund of the	Technology Commission for network operations costs related to the
139 33 state to the Iowa telecommunications and technology commission	production of interactive video.
139 34 for the fiscal year beginning July 1, 2002, and ending June	
139 35 30, 2003, the following amount, or so much thereof as is	DETAIL: This is a decrease in funding of \$1,089,368 and no change
140 1 necessary, to be used for the purposes designated in this	in FTE positions compared to the estimated net FY 2002. The funding
140 2 subsection:	decrease is due in part to the ICN attaining Common Carrier status as
140 3 For operations of the network consistent with chapter 8D	of December 2000. The ICN now has the ability to subsidize the
140 4 and for the following full-time equivalent positions:	General Fund appropriation with Universal Service Fund funding.
140 5 \$ 1,027,503	
140 6 FTEs 105.00	
140 7 2. Notwithstanding section 8.33 or 8.39, moneys	CODE: Allows funds that are unencumbered or unobligated at the
140 8 appropriated in this section which remain unobligated or	end of FY 2002 to carry forward into FY 2003 for the purposes for
140 9 unexpended at the close of the fiscal year shall not revert	which they were appropriated.
140 10 but shall remain available for the purposes designated in the	
140 11 succeeding fiscal year, and shall not be transferred to any	
140 12 other program.	
140 13 3. It is the intent of the general assembly that the Iowa	Specifies the intent of the General Assembly that the Iowa
140 14 telecommunications and technology commission annually review	Telecommunications and Technology Commission annually review
140 15 the hourly rates established, as provided in section 8D.3,	the rates charged for services in order to minimize the need for State
140 16 subsection 3, paragraph "i". Such rates shall be established	subsidization.
140 17 in a manner to minimize any subsidy provided through state	
140 18 general fund appropriations.	
140 19 Sec. 165. DEPARTMENT OF PUBLIC SAFETY. There is	
140 20 appropriated from the general fund of the state to the	
140 21 department of public safety for the fiscal year beginning July	
140 22 1, 2002, and ending June 30, 2003, the following amounts, or	
140 23 so much thereof as is necessary, to be used for the purposes	

140 24 designated:

140 25 1. For the department's administrative functions,
140 26 including the criminal justice information system, and for not
140 27 more than the following full-time equivalent positions:

140 28 \$ 2,379,176
140 29 FTEs 38.50

General Fund appropriation to the Department of Public Safety for the Administrative Services Division.

DETAIL: This is a decrease of \$124,627 and a decrease of 1.00 FTE position compared to the FY 2002 estimated net appropriation.

140 30 2. For the division of criminal investigation and bureau
140 31 of identification including the state's contribution to the
140 32 peace officers' retirement, accident, and disability system
140 33 provided in chapter 97A in the amount of 17 percent of the
140 34 salaries for which the funds are appropriated, to meet federal
140 35 fund matching requirements, and for not more than the
141 1 following full-time equivalent positions:

141 2 \$ 12,050,565
141 3 FTEs 231.50

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is a decrease of \$330,482 and no change in FTE positions compared to estimated net FY 2002 combined appropriations for the DCI and the Automated Fingerprint Information System (AFIS) service contract. In previous years, the AFIS contract was funded as a separate General Fund appropriation. This Bill combines the two appropriations into one appropriation to the DCI.

141 4 Riverboat enforcement costs shall be billed in accordance
141 5 with section 99F.10, subsection 4, and section 99F.10A. The
141 6 costs shall be not more than the department's estimated
141 7 expenditures, including salary adjustment, for riverboat
141 8 enforcement for the fiscal year. The costs billed to the
141 9 riverboats shall not be more than \$1,280,000 in excess of the
141 10 amount billed to the riverboats in the fiscal year beginning
141 11 July 1, 2001. Racetrack enforcement costs shall be billed in
141 12 accordance with section 99D.14, subsection 7, and section
141 13 99D.14A. The costs shall be not more than the department's
141 14 estimated expenditures, including salary adjustment, for
141 15 racetrack enforcement for the fiscal year. The costs billed
141 16 to the racetracks shall not be more than \$420,000 in excess of
141 17 the amount billed to the racetracks in the fiscal year
141 18 beginning July 1, 2001.

Specifies the costs cannot exceed the Department of Public Safety's estimated costs for such expenditures, including salary adjustment, for FY 2003. The amount billed to riverboats cannot exceed \$1,280,000 and the amount billed to racetracks cannot exceed \$420,000 more than the amount billed for FY 2002.

141 19 The department of public safety, with the approval of the

Permits the Department of Public Safety to employ a maximum of two

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Explanation

141 20 department of management, may employ no more than two special
 141 21 agents and four gaming enforcement officers for each
 141 22 additional riverboat regulated after July 1, 2002, and one
 141 23 special agent for each racing facility which becomes
 141 24 operational during the fiscal year which begins July 1, 2002.
 141 25 One additional gaming enforcement officer, up to a total of
 141 26 four per boat, may be employed for each riverboat that has
 141 27 extended operations to 24 hours and has not previously
 141 28 operated with a 24-hour schedule. Positions authorized in
 141 29 this paragraph are in addition to the full-time equivalent
 141 30 positions otherwise authorized in this subsection.

special agents and four gaming enforcement officers upon receiving approval from the DOM for new riverboats licensed after July 1, 2002, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2002.

141 31 3. a. For the division of narcotics enforcement,
 141 32 including the state's contribution to the peace officers'
 141 33 retirement, accident, and disability system provided in
 141 34 chapter 97A in the amount of 17 percent of the salaries for
 141 35 which the funds are appropriated, to meet federal fund
 142 1 matching requirements, and for not more than the following
 142 2 full-time equivalent positions:
 142 3 \$ 3,392,889
 142 4 FTEs 58.00

General Fund appropriation to the Department of Public Safety for the Narcotics Enforcement Division.

DETAIL: This is a decrease of \$159,874 and no change in FTE positions compared to estimated net FY 2002.

142 5 b. For the division of narcotics enforcement for
 142 6 undercover purchases:
 142 7 \$ 123,343

General Fund appropriation to the Department of Public Safety for undercover purchases by the Division of Narcotics Enforcement.

DETAIL: This is a decrease of \$6,461 compared to the estimated net FY 2002.

142 8 4. a. For the state fire marshal's office, including the
 142 9 state's contribution to the peace officers' retirement,
 142 10 accident, and disability system provided in chapter 97A in the
 142 11 amount of 17 percent of the salaries for which the funds are
 142 12 appropriated, and for not more than the following full-time
 142 13 equivalent positions:
 142 14 \$ 1,777,630
 142 15 FTEs 38.80

General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office.

DETAIL: This is a decrease of \$83,763 and no change in FTE positions compared to estimated net FY 2002.

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Explanation

142 16 b. For the state fire marshal's office, for fire
 142 17 protection services as provided through the state fire service
 142 18 and emergency response council as created in the department,
 142 19 and for not more than the following full-time equivalent
 142 20 positions:
 142 21 \$ 572,150
 142 22 FTEs 12.00

General Fund appropriation to the Sate Fire Marshal's Office for fire protection services.

DETAIL: This is a decrease of \$26,960 and no change in FTE positions compared to estimated net FY 2002.

142 23 5. a. For the division of the Iowa state patrol of the
 142 24 department of public safety, for salaries, support,
 142 25 maintenance, workers' compensation costs, and miscellaneous
 142 26 purposes, including the state's contribution to the peace
 142 27 officers' retirement, accident, and disability system provided
 142 28 in chapter 97A in the amount of 17 percent of the salaries for
 142 29 which the funds are appropriated, and for not more than the
 142 30 following full-time equivalent positions:
 142 31 \$ 37,019,624
 142 32 FTEs 545.00

General Fund appropriation to the Department of Public Safety for the Iowa State Patrol.

DETAIL: This is a decrease of \$749,616 and 4.00 FTE positions compared to estimated net FY 2002.

142 33 b. District 16, including the state's contribution to the
 142 34 peace officers' retirement, accident, and disability system
 142 35 provided in chapter 97A in the amount of 17 percent of the
 143 1 salaries for which the funds are appropriated and for not more
 143 2 than the following full-time equivalent positions:
 143 3 \$ 1,240,381
 143 4 FTEs 26.00

General Fund appropriation for the District 16 Division of the Iowa State Patrol.

DETAIL: This is a decrease of \$58,447 and no change in FTE positions compared to estimated net FY 2002.

143 5 6. For deposit in the public safety law enforcement sick
 143 6 leave benefits fund established under section 80.42, for all
 143 7 departmental employees eligible to receive benefits for
 143 8 accrued sick leave under the collective bargaining agreement:
 143 9 \$ 272,421

General Fund appropriation to create a non-reversionary fund in the Department of Public Safety to be used for sick leave payout.

DETAIL: This is a decrease of \$12,837 compared to estimated net FY 2002.

143 10 7. An employee of the department of public safety who

Allows employees of the Department of Public Safety who retire after July 1, 2002, but prior to June 30, 2003, to be eligible for insurance

143 11 retires after July 1, 2002, but prior to June 30, 2003, is
 143 12 eligible for payment of life or health insurance premiums as
 143 13 provided for in the collective bargaining agreement covering
 143 14 the public safety bargaining unit at the time of retirement if
 143 15 that employee previously served in a position which would have
 143 16 been covered by the agreement. The employee shall be given
 143 17 credit for the service in that prior position as though it
 143 18 were covered by that agreement. The provisions of this
 143 19 subsection shall not operate to reduce any retirement benefits
 143 20 an employee may have earned under other collective bargaining
 143 21 agreements or retirement programs.

benefits as provided by the collective bargaining agreement. The employees must have previously served in positions that would have been covered by the agreement.

143 22 8. For costs associated with the training and equipment
 143 23 needs of volunteer fire fighters and for not more than the
 143 24 following full-time equivalent position:
 143 25 \$ 544,826
 143 26 FTEs 1.00

General Fund appropriation to the Department of Public Safety for Volunteer Fire Fighter Training Grants.

DETAIL: This is a decrease of \$25,672 and no change in FTE positions compared to estimated net FY 2002.

143 27 Notwithstanding section 8.33, moneys appropriated in this
 143 28 subsection that remain unobligated or unexpended at the close
 143 29 of the fiscal year shall not revert but shall remain available
 143 30 for expenditure only for the purpose designated in this
 143 31 subsection until the close of the succeeding fiscal year.

CODE: Allows the balance remaining at the end of the fiscal year to carry forward to the next fiscal year for fire fighter training grants.

143 32 Sec. 166. POSTING OF REPORTS IN ELECTRONIC FORMAT --
 143 33 LEGISLATIVE FISCAL BUREAU. All reports or copies of reports
 143 34 required to be provided to the legislative fiscal bureau in
 143 35 this division for the fiscal year beginning July 1, 2002,
 144 1 shall be provided in an electronic format. The legislative
 144 2 fiscal bureau shall post the reports on its internet site and
 144 3 shall notify by electronic means all the members of the joint
 144 4 appropriations subcommittee on the justice system when a
 144 5 report is posted. Upon request, copies of the reports may be
 144 6 mailed to members of the joint appropriations subcommittee on
 144 7 the justice system.

Requires that all reports be provided to the LFB in electronic format. The LFB will place the reports on their web site and notify the subcommittee members that the report has been received and is available on the web site.

144 8 Sec. 167. NEW SECTION. 99D.14A PAYMENT OF THE DIVISION
144 9 OF CRIMINAL INVESTIGATION COSTS.

144 10 A licensee shall pay a fee in an amount representing twenty
144 11 percent of the salary costs of the division of criminal
144 12 investigation of the department of public safety plus any
144 13 amount over thirty thousand dollars in direct and indirect
144 14 support costs, in addition to that assessed under section
144 15 99D.14, subsection 7, for enforcement of this chapter. The
144 16 fees assessed in this section shall be deposited in the
144 17 general fund of the state.

CODE: This Section, combined with 99F.4A and 99F.10A, allows the Department of Public Safety to bill the gaming industry for 100.00% of the salaries and support costs of gaming enforcement.

144 18 Sec. 168. Section 99F.4A, subsection 8, Code 2001, is
144 19 amended to read as follows:

144 20 8. A licensee shall pay a fee in an amount representing
144 21 eighty one hundred percent of the salary and other related
144 22 costs of the division of criminal investigation of the
144 23 department of public safety for enforcement of this chapter.

CODE: This Section, combined with 99D.14A and 99F.10A, allows the Department of Public Safety to bill the gaming industry for 100.00% of the salaries and support costs of gaming enforcement.

144 24 Sec. 169. NEW SECTION. 99F.10A PAYMENT OF THE DIVISION
144 25 OF CRIMINAL INVESTIGATION COSTS.

144 26 A licensee shall pay twenty percent of the division's
144 27 salary costs for special agents and twenty percent of the
144 28 division's salary costs for gaming enforcement plus any amount
144 29 over one hundred twenty-five thousand dollars in direct and
144 30 indirect support costs, in addition to that assessed under
144 31 section 99F.10, subsection 4. The costs assessed in this
144 32 section shall be deposited in the general fund of the state.

CODE: This Section, combined with 99D.14A and 99F.4A, allows the Department of Public Safety to bill the gaming industry for 100.00% of the salaries and support costs of gaming enforcement.

144 33 Sec. 170. 1998 Iowa Acts, chapter 1101, section 15,
144 34 subsection 2, as amended by 1999 Iowa Acts, chapter 202,
144 35 section 25, as amended by 2000 Iowa Acts, chapter 1229,
145 1 section 25, and as amended by 2001 Iowa Acts, chapter 186,
145 2 section 21, is amended to read as follows:

145 3 2. a. There is appropriated from surcharge moneys
145 4 received by the E911 administrator and deposited into the

CODE: Continues funding from the Wireless E911 Emergency Communications Fund for the Emergency Management Division, Department of Public Defense through FY 2003. The Division receives up to \$200,000 for administration of the implementation of the wireless E911 service.

145 5 wireless E911 emergency communications fund, for each fiscal
145 6 year in the fiscal period beginning July 1, 1998, and ending
145 7 June 30, ~~2002~~ 2003, an amount not to exceed two hundred
145 8 thousand dollars to be used for the implementation, support,
145 9 and maintenance of the functions of the E911 administrator.
145 10 The amount appropriated in this paragraph includes any amounts
145 11 necessary to reimburse the division of emergency management of
145 12 the department of public defense pursuant to paragraph "b".
145 13 b. Notwithstanding the distribution formula in section
145 14 34A.7A, as enacted in this Act, and prior to any such
145 15 distribution, of the initial surcharge moneys received by the
145 16 E911 administrator and deposited into the wireless E911
145 17 emergency communications fund, for each fiscal year in the
145 18 fiscal period beginning July 1, 1998, and ending June 30, ~~2002~~
145 19 2003, an amount is appropriated to the division of emergency
145 20 management of the department of public defense as necessary to
145 21 reimburse the division for amounts expended for the
145 22 implementation, support, and maintenance of the E911
145 23 administrator, including the E911 administrator's salary.

145 24 Sec. 171. 2001 Iowa Acts, chapter 186, section 6,
145 25 subsection 6, is amended by striking the subsection.

CODE: Eliminates the requirements that the drug courts only be offered to offenders on a post-adjudication basis, and that felonies are given priority over misdemeanors.

145 26 Sec. 172. EFFECTIVE DATES.
145 27 1. Except as otherwise provided by this section, this
145 28 division of this Act takes effect July 1, 2002.

States that this Section takes effect upon enactment. The remaining Sections of this Division of the Bill take effect July 1, 2002.

145 29 2. The section of this division of this Act striking 2001
145 30 Iowa Acts, chapter 186, section 6, subsection 6, being deemed
145 31 of immediate importance, takes effect upon enactment.

States that the Section that eliminates the requirement that drug courts only be offered on a post-adjudication basis, takes effect upon enactment.

145 32 3. The section of this Act amending 1998 Iowa Acts,
145 33 chapter 1101, section 15, as amended, being deemed of
145 34 immediate importance, takes effect upon enactment.

States that the Section that amends 1998 Iowa Acts to continue funding from the Wireless E911 Emergency Communications Fund, takes effect upon enactment.

145 35 DIVISION VIII
146 1 JUDICIAL BRANCH

146 2 Sec. 173. JUDICIAL BRANCH. There is appropriated from the
146 3 general fund of the state to the judicial branch for the
146 4 fiscal year beginning July 1, 2002, and ending June 30, 2003,
146 5 the following amount, or so much thereof as is necessary, to
146 6 be used for the purposes designated:

146 7 For salaries of supreme court justices, appellate court
146 8 judges, district court judges, district associate judges,
146 9 judicial magistrates and staff, state court administrator,
146 10 clerk of the supreme court, district court administrators,
146 11 clerks of the district court, juvenile court officers, board
146 12 of law examiners and board of examiners of shorthand reporters
146 13 and judicial qualifications commission, receipt and
146 14 disbursement of child support payments, reimbursement of the
146 15 auditor of state for expenses incurred in completing audits of
146 16 the offices of the clerks of the district court during the
146 17 fiscal year beginning July 1, 2002, and maintenance,
146 18 equipment, and miscellaneous purposes:
146 19 \$111,356,002

General Fund appropriation to the Judicial Branch for operations.

DETAIL: Maintains current level of funding.

146 20 1. The judicial branch, except for purposes of internal
146 21 processing, shall use the current state budget system, the
146 22 state payroll system, and the Iowa finance and accounting
146 23 system in administration of programs and payments for
146 24 services, and shall not duplicate the state payroll,
146 25 accounting, and budgeting systems.

Prohibits the Judicial Branch from duplicating current State payroll, budgeting, and accounting systems, except for the implementation of an internal accounting and record keeping system.

146 26 2. The judicial branch shall submit monthly financial
146 27 statements to the legislative fiscal bureau and the department
146 28 of management containing all appropriated accounts in the same
146 29 manner as provided in the monthly financial status reports and
146 30 personal services usage reports of the department of revenue
146 31 and finance. The monthly financial statements shall include a

Requires the Judicial Branch to submit monthly financial statements on all appropriated accounts to the Legislative Fiscal Bureau (LFB) and the Department of Management (DOM). Specifies what is to be included in the financial statements.

146 32 comparison of the dollars and percentage spent of budgeted
146 33 versus actual revenues and expenditures on a cumulative basis
146 34 for full-time equivalent positions and dollars.

146 35 3. The judicial branch shall continue to assist in the
147 1 development and implementation of a justice data warehouse
147 2 which shall include in the Iowa court information system,
147 3 starting with appointments of counsel made on or after July 1,
147 4 1999, the means to identify any case where the court has
147 5 determined indigence, and whether the case is handled by a
147 6 public defender or other court-appointed counsel.

Requires the Judicial Branch to assist in the development and implementation of the Justice Data Warehouse by sharing information contained in the Iowa Court Information System (ICIS). The shared information will begin with the appointments of counsel made on or after July 1, 1999, and will include the means to identify indigence and information as to whether the public defender or court-appointed counsel handled the case.

147 7 4. Of the funds appropriated in this section, not more
147 8 than \$1,897,728 may be transferred into the revolving fund
147 9 established pursuant to section 602.1302, subsection 3, to be
147 10 used for the payment of jury and witness fees and mileage.

Permits a maximum of \$1,897,728 to be transferred into the Jury Witness Revolving Fund for jury and witness fees and mileage.

147 11 5. The judicial branch shall focus efforts upon the
147 12 collection of delinquent fines, penalties, court costs, fees,
147 13 surcharges, or similar amounts.

Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees.

147 14 6. It is the intent of the general assembly that the
147 15 offices of the clerks of the district court operate in all
147 16 ninety-nine counties and be accessible to the public as much
147 17 as is reasonably possible in order to address the relative
147 18 needs of the citizens of each county.

Specifies that it is the intent of the General Assembly that the Judicial Branch operate the Clerk of Court offices in all 99 counties and ensure the offices are accessible to the public as much as is reasonably possible.

147 19 7. In addition to the requirements for transfers under
147 20 section 8.39, the judicial branch shall not change the
147 21 appropriations from the amounts appropriated to the branch in
147 22 this Act, unless notice of the revisions is given prior to
147 23 their effective date to the legislative fiscal bureau. The
147 24 notice shall include information on the branch's rationale for
147 25 making the changes and details concerning the work load and

Requires the Judicial Branch to notify the LFB prior to any intra-departmental transfer of funds. Specifies the contents of the notice.

147 26 performance measures upon which the changes are based.

147 27 8. The judicial branch shall provide to the legislative
147 28 fiscal bureau by January 15, 2003, an annual report concerning
147 29 the operation and use of the Iowa court information system and
147 30 any recommendations to improve the utilization of the system.
147 31 The annual report shall include information specifying the
147 32 amounts of fines, surcharges, and court costs collected using
147 33 the system and how the system is used to improve the
147 34 collection process. In addition, the judicial branch shall
147 35 submit a semiannual update to the legislative fiscal bureau
148 1 specifying the amounts of fines, surcharges, and court costs
148 2 collected using the Iowa court information system since the
148 3 last report. The judicial branch shall continue to facilitate
148 4 the sharing of vital sentencing and other information with
148 5 other state departments and governmental agencies involved in
148 6 the criminal justice system through the Iowa court information
148 7 system.

Requires the Judicial Branch to provide a report to the LFB by January 15, 2003, regarding the operation and use of the ICIS and recommendations to improve the system. The report shall include the amounts collected in fines, surcharges, court costs, and how the system improves the collection process. The report will include information regarding the efforts of the Judicial Branch to share the information contained in the ICIS with other State agencies. Requires the Judicial Branch to provide a semi-annual report to the LFB, specifying the amount of fines, surcharges, and court costs collected using the ICIS. The Judicial Branch will continue to share vital sentencing and other information with departments and government agencies involved with the criminal justice system through the Iowa Court Information System.

148 8 9. The judicial branch shall provide a report to the
148 9 general assembly by January 1, 2003, concerning the amounts
148 10 received and expended from the enhanced court collections fund
148 11 created in section 602.1304 and the court technology and
148 12 modernization fund created in section 602.8108, subsection 5,
148 13 during the fiscal year beginning July 1, 2001, and ending June
148 14 30, 2002, and the plans for expenditures from each fund during
148 15 the fiscal year beginning July 1, 2002, and ending June 30,
148 16 2003. A copy of the report shall be provided to the
148 17 legislative fiscal bureau.

Requires the Judicial Branch to report to the General Assembly by January 1, 2003, concerning the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2002 and plans for expenditures for FY 2003. The Judicial Branch is required to provide a copy of this report to the LFB.

148 18 10. The judicial branch shall continue to provide criminal
148 19 justice data to the department of corrections for use by the
148 20 Iowa corrections offender network (ICON) data system.

Requires the Judicial Branch to continue to provide criminal justice data to the Department of Corrections for the Iowa Corrections Offender Network (ICON) data system.

148 21 Sec. 174. JUDICIAL RETIREMENT FUND. There is appropriated

General Fund appropriation to the Judicial Branch for the Judicial

148 22 from the general fund of the state to the judicial retirement
 148 23 fund for the fiscal year beginning July 1, 2002, and ending
 148 24 June 30, 2003, the following amount, or so much thereof as is
 148 25 necessary, to be used for the purpose designated:
 148 26 Notwithstanding section 602.9104, for the state's
 148 27 contribution to the judicial retirement fund in the amount of
 148 28 9.9 percent of the basic salaries of the judges covered under
 148 29 chapter 602, article 9:
 148 30 \$ 2,039,664

Retirement Fund.

DETAIL: This is a decrease of \$999,534 compared to the FY 2002 estimated net appropriation to fund the Judicial Retirement System. The employer contribution for the Judicial Retirement Fund is reduced from 23.70% to 9.90% of covered payroll.

CODE: Notwithstands Section 602.9104, Code of Iowa, for the State's contribution to the Judicial Retirement Fund in the amount of 9.90% of the basic salaries of the judges covered under Chapter 602, Article 9.

148 31 Sec. 175. POSTING OF REPORTS IN ELECTRONIC FORMAT --
 148 32 LEGISLATIVE FISCAL BUREAU. All reports or copies of reports
 148 33 required to be provided by the judicial branch for fiscal year
 148 34 2002-2003 to the legislative fiscal bureau shall be provided
 148 35 in an electronic format. The legislative fiscal bureau shall
 149 1 post the reports on its internet site and shall notify by
 149 2 electronic means all the members of the joint appropriations
 149 3 subcommittee on the justice system when a report is posted.
 149 4 Upon request, copies of the reports may be mailed to members
 149 5 of the joint appropriations subcommittee on the justice
 149 6 system.

Requires the Judicial Branch to provide the LFB with reports in electronic format so that the reports can be placed on the LFB web site. The LFB will notify subcommittee members of the filing of new reports.

149 7 Sec. 176. CLERK OF COURT -- STUDY COMMITTEE. The supreme
 149 8 court shall establish a study committee for the purpose of
 149 9 providing findings and recommendations to the court in order
 149 10 for the court to submit a report to the general assembly by
 149 11 December 15, 2002, regarding the efficient operation and
 149 12 management of the clerks of courts offices in every county of
 149 13 the state. The study committee shall include representatives
 149 14 of key court stakeholder groups including but not limited to,
 149 15 members of the general public, legislators, county and city
 149 16 officials, court employees, clerks of court, judges, and
 149 17 attorneys representing both urban and rural areas of the
 149 18 state. The court shall include interested associations and

Establishes a study committee for the purpose of providing findings and recommendations to the Court in order for the Court to submit a report to the General Assembly by December 15, 2002, regarding the efficient operations and management of the Clerks of Court offices in every county of the State.

149 19 public agencies who request the opportunity to have input into
 149 20 the work of the study committee. The committee shall issue a
 149 21 report to the court which includes the committee's findings
 149 22 and recommendations of how to improve the operation and
 149 23 management of clerk of court offices under the present
 149 24 statutory framework of one clerk of court office per county.
 149 25 The supreme court shall submit its report to the general
 149 26 assembly after consideration of the study committee's findings
 149 27 and recommendations.

149 28 Sec. 177. APPOINTMENT OF CLERK OF COURT. Up until such
 149 29 time the supreme court submits its clerk of court study
 149 30 committee report to the general assembly and notwithstanding
 149 31 section 602.1215, the appointment of a clerk of the district
 149 32 court shall not occur unless the state court administrator
 149 33 approves the appointment.

Requires that until the Clerk of Court report is received by the General Assembly, the State Court Administrator will approve all Clerk of Court appointments.

149 34 Sec. 178. EFFECTIVE DATE. This division of this Act takes
 149 35 effect July 1, 2002.

Specifies July 1, 2002, as the effective date of Division VIII of this Act.

150 1 DIVISION IX
 150 2 STANDING APPROPRIATIONS -- REDUCTIONS

150 3 Sec. 179. 2002 Iowa Acts, Senate File 2326, section 168,
 150 4 is amended to read as follows:
 150 5 SEC. 168. GENERAL ASSEMBLY. The appropriations made
 150 6 pursuant to section 2.12 for the expenses of the general
 150 7 assembly and legislative agencies for the fiscal year
 150 8 beginning July 1, 2002, and ending June 30, 2003, are reduced
 150 9 by the following amount:
 150 10 \$ 744,947
 150 11 1,828,845

CODE: Reduces the FY 2003 standing appropriation to the General Assembly and legislative agencies.

DETAIL: This is a reduction of \$1,083,898 compared to the action in SF 2326 (FY 2003 Omnibus Appropriations Act). The total decrease of \$1,828,845 compared to the FY 2002 estimated net appropriation represents a decrease of 4.50%. The General Assembly appropriation is further reduced by \$392,858 due to furlough and salary savings in another Division of this Bill.

150 12 Sec. 180. 2002 Iowa Acts, Senate File 2326, section 169,

CODE: Reduces the FY 2003 standing appropriation to the

50 6 1. Except as otherwise provided in subsection 2, this
 50 7 division of this Act takes effect July 1, 2002.
 50 8 2. The section of this division of this Act amending
 50 9 section 256.9, being deemed of immediate importance, takes
 50 10 effect upon enactment.

duties of the director of the Department of Education take effect upon enactment.

50 11 DIVISION V
 50 12 HEALTH AND HUMAN RIGHTS

50 13 Sec. 96. DEPARTMENT FOR THE BLIND. There is appropriated
 50 14 from the general fund of the state to the department for the
 50 15 blind for the fiscal year beginning July 1, 2002, and ending
 50 16 June 30, 2003, the following amount, or so much thereof as is
 50 17 necessary, to be used for the purposes designated:
 50 18 For salaries, support, maintenance, miscellaneous purposes,
 50 19 and for not more than the following full-time equivalent
 50 20 positions:
 50 21 \$ 1,529,780
 50 22 FTEs 106.50

General Fund appropriation to the Department for the Blind for FY 2003.

DETAIL: This is a decrease of \$195,811 and no change in FTE positions compared to the FY 2002 estimated net appropriation. The change includes:

1. A decrease of \$67,892 for enterprise efficiencies.
2. An unspecified decrease of \$122,614.
3. A decrease of \$5,305 due to salary savings resulting from a retirement.

50 23 Sec. 97. CIVIL RIGHTS COMMISSION. There is appropriated
 50 24 from the general fund of the state to the Iowa state civil
 50 25 rights commission for the fiscal year beginning July 1, 2002,
 50 26 and ending June 30, 2003, the following amount, or so much
 50 27 thereof as is necessary, to be used for the purposes
 50 28 designated:
 50 29 For salaries, support, maintenance, miscellaneous purposes,
 50 30 and for not more than the following full-time equivalent
 50 31 positions:
 50 32 \$ 908,253
 50 33 FTEs 35.75

General Fund appropriation to the Iowa State Civil Rights Commission.

DETAIL: This is a decrease of \$155,039 and 1.00 FTE position compared to the FY 2002 estimated net appropriation. The change includes:

1. A decrease of \$37,586 and 1.00 FTE position due to attrition.
2. An unspecified decrease of \$117,453.

50 34 If the anticipated amount of federal funding from the
 50 35 federal equal employment opportunity commission and the
 51 1 federal department of housing and urban development exceeds

Allows the Commission to exceed the authorized staffing level if the additional full-time equivalent (FTE) positions are federally funded and the anticipated federal funding is greater than \$1,144,875.

51 2 \$1,144,875 during the fiscal year beginning July 1, 2002, the
 51 3 Iowa state civil rights commission may exceed the staffing
 51 4 level authorized in this section to hire additional staff to
 51 5 process or to support the processing of employment and housing
 51 6 complaints during that fiscal year.

51 7 Sec. 98. DEPARTMENT OF ELDER AFFAIRS. There is
 51 8 appropriated from the general fund of the state to the
 51 9 department of elder affairs for the fiscal year beginning July
 51 10 1, 2002, and ending June 30, 2003, the following amount, or so
 51 11 much thereof as is necessary, to be used for the purposes
 51 12 designated:

51 13 1. For aging programs for the department of elder affairs
 51 14 and area agencies on aging to provide citizens of Iowa who are
 51 15 60 years of age and older with case management for the frail
 51 16 elderly, Alzheimer's support, the retired and senior volunteer
 51 17 program, resident advocate committee coordination, employment,
 51 18 and other services which may include, but are not limited to,
 51 19 adult day services, respite care, chore services, telephone
 51 20 reassurance, information and assistance, and home repair
 51 21 services, including the winterizing of homes, and for the
 51 22 construction of entrance ramps which make residences
 51 23 accessible to the physically handicapped, and for salaries,
 51 24 support, administration, maintenance, miscellaneous purposes,
 51 25 and for not more than the following full-time equivalent
 51 26 positions with the department of elder affairs:
 51 27 \$ 3,928,156
 51 28 FTEs 28.00

General Fund appropriation to the Department of Elder Affairs for FY 2003.

DETAIL: This is a decrease of \$353,149 and 2.00 FTE positions compared to the FY 2002 estimated net appropriation. The change includes:

1. A decrease of \$160,868 to eliminate funding for Alzheimer's support, which the Department anticipates may be offset with funds from the federal Family Caregiver Support Program.
2. A decrease of \$7,185 for the Retired Senior Volunteer Program (RSVP).
3. An unspecified decrease of \$185,096.
4. A decrease of 2.00 FTE positions due to one retirement and consolidation of duties.

51 29 a. Funds appropriated in this subsection may be used to
 51 30 supplement federal funds under federal regulations. To
 51 31 receive funds appropriated in this subsection, a local area
 51 32 agency on aging shall match the funds with moneys from other
 51 33 sources according to rules adopted by the department. Funds

Allows the use of funds appropriated in this Subsection to supplement federal funds for elderly services not specifically enumerated if those services are approved by an Area Agency on Aging. Requires local Area Agencies on Aging to match the funds for aging programs and services.